

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7482

RAY M. SMITH,

Plaintiff - Appellant,

versus

JUSTIN MYERS, Correctional Officer, High Security Unit at Polk Youth Institution; BENJAMIN LEA, Sergeant, High Security Unit at Polk Youth Institution; DENNIS W. VANBUREN, Lieutenant, High Security Unit at Polk Youth Institution; KENNETH ADDINGTON, Sergeant, High Security Unit at Polk Youth Institution; SHAWN TOOMEY, Correctional Officer, High Security Unit at Polk Youth Institution; DALE EVANS, Correctional Officer, High Security Unit at Polk Youth Institution; JAMES WILLIAMS, Correctional Officer, High Security Unit at Polk Youth Institution,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (CA-03-366-5-BO)

Submitted: February 24, 2005

Decided: March 7, 2005

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ray M. Smith, Appellant Pro Se. Elizabeth F. Parsons, NORTH
CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Ray M. Smith appeals the district court's orders denying relief on his 42 U.S.C. § 1983 (2000) complaint alleging excessive force by prison officers and denying his motion for appointment of counsel. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Smith v. Myers, No. CA-03-366-5-BO (E.D.N.C. filed Oct. 17, 2003; entered Oct. 20, 2003; filed Aug. 23, 2004; entered Aug. 24, 2004). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED